

E-FILED - 7/23/07

1 UNITED STATES OF AMERICA,) No. CR 06-00195 RMW
2 Plaintiff,)
3 v.) STIPULATION AND [] ORDER
4) CONTINUING HEARING DATE AND
5 THUY PHUOC DINH,) EXCLUDING TIME FROM THE SPEEDY
a/k/a Pierre Dinh,) TRIAL ACT CALCULATION (18 U.S.C. §§
6) 3161(h)(8)(A) & 3161(h)(8)(B)(iv))
Defendant.)

7
8

9 The undersigned parties respectfully request that the status hearing currently scheduled
10 for July 5, 2007 be continued to July 12, 2007 at 2:00 p.m. The reason for the continuance is
11 that Assistant United States Attorney Susan Knight will be out of town on a family vacation.
12 The parties also request an exclusion of time under the Speedy Trial Act from July 5, 2007 to
13 July 12, 2007. The parties agree and stipulate that an exclusion is appropriate based upon
14 continuity of government counsel and effective preparation of defense counsel. The government
15 is in the process of providing defense counsel with additional discovery, and the continuance
16 will afford him an opportunity to review it.

16 SO STIPULATED.

17 SCOTT N. SCHOOLS
United States Attorney

18 DATED: _____

19 _____/s/
SUSAN KNIGHT
Assistant United States Attorney

20 DATED: _____

21 _____/s/
DOUGLAS L. RAPPAPORT
Counsel for Mr. Pierre Dinh

23 Accordingly, the Court HEREBY ORDERS that the status hearing scheduled for July 5,
24 2007 is continued to July 12, 2007 at 2:00 p.m.

25 The Court FURTHER ORDERS that the time between July 5, 2007 and July 12, 2007 is
26 excluded under the Speedy Trial Act. The Court finds that the failure to grant the requested
27 continuance would deny the defendant effective preparation of defense counsel and continuity of
28 defense counsel. The Court finds that the ends of justice served by granting the requested
STIPULATION AND [] ORDER
CR 06-00195 RMW

1 continuance outweigh the best interest of the public and the defendant in a speedy trial and in the
2 prompt disposition of criminal cases. The Court therefore concludes that this exclusion of time
3 should be made under 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

4 IT IS SO ORDERED.

5
6 7/23/07 _____
7 Dated

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28